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Fifty-first session
THIRD COMMITTEE
Agenda item 110 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Argentina, Australia, Austria, Barbados, Belgium,
Bulgaria, Canada, Czech Republic, Denmark, Ecuador, Finland,
France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan,
Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Samoa,
San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden,
United Kingdom of Great Britain and Northern Ireland and
Uruguay: draft resolution

Situation of human rights in Nigeria

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² the Vienna Declaration and Programme of Action³ and other human rights instruments,

Reaffirming that all Member States have the duty to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments in this field,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993
(A/CONF.157/24 (Part I)), chap. III.

Mindful that Nigeria is a party to the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,⁴

Recalling its resolution 50/199 of 22 December 1995 and Commission on Human Rights resolution 1996/79 of 23 April 1996 on the situation of human rights in Nigeria,

Deeply concerned about the human rights situation in Nigeria and the suffering caused thereby to the people of Nigeria,

Expressing concern that the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms, and recalling in this regard the popular support for democratic government as evidenced in the 1993 elections,

Recalling the announcement made by the Government of Nigeria on 1 October 1995 in which it affirmed the principle of multi-party democracy and the principle of power-sharing, and its intention to lift the ban on political activities and the press, to devolve power to the local levels of government and to subordinate the military to civilian authority,

Strongly disappointed that only limited action in this regard has followed, and regretting that political associations have been instructed to disband, while noting the recent registration of five political parties,

Welcoming the report of the mission sent to Nigeria by the Secretary-General pursuant to General Assembly resolution 50/199, and noting the interim response of the Government of Nigeria to that mission,

Welcoming also the resumption of dialogue between Nigeria and the Commonwealth,

Taking note with appreciation of the joint interim report of the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions,⁵

Noting with deep concern reports of grave violations of human rights, including extrajudicial summary or arbitrary executions and arbitrary detention, failure to respect due process of law and excessive use of force against demonstrators, as described in, inter alia, reports submitted by the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions,

Stressing the importance of the mandate of the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions to undertake a joint investigative mission to

⁴ Resolution 2106 A (XX), annex.

⁵ A/51/538, annex.

Nigeria, as requested by the Commission on Human Rights in its resolution 1996/79,

Noting with alarm that persons in detention in Nigeria continue to face a flawed judicial process, and recalling in this regard the arbitrary execution of Ken Saro-Wiwa and his associates,

1. Expresses its deep concern about violations of human rights and fundamental freedoms in Nigeria, and calls upon the Government of Nigeria urgently to ensure their observance, in particular by releasing all political prisoners, trade union leaders, human rights advocates and journalists who are at present detained, guaranteeing freedom of the press and ensuring respect for the rights of all individuals, including persons belonging to minorities;
2. Calls upon the Government of Nigeria to ensure that trials are held strictly in conformity with the international human rights instruments to which Nigeria is a party;
3. Also calls upon the Government of Nigeria to implement fully its interim undertakings to the Secretary-General without further delay and to respond in full to the recommendations of the Secretary-General's mission to Nigeria;
4. Welcomes the intention of the Secretary-General to pursue his mandate of good offices;
5. Urges the Government of Nigeria to cooperate fully with the relevant mechanisms of the Commission on Human Rights;
6. Regrets that the Government of Nigeria has not enabled the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions to visit the country before presentation of their report to the General Assembly, and urges the Government of Nigeria to cooperate fully with them during the joint investigative mission to Nigeria mandated by the Commission on Human Rights;
7. Calls upon the Government of Nigeria to abide by its freely undertaken obligations under the International Covenant on Civil and Political Rights² and other human rights instruments, including the African Charter of Human and Peoples' Rights, adopted by the 18th Conference of Heads of State and Government of the Organization of African Unity at Nairobi on 28 June 1981;⁶
8. Notes with interest in this regard the recommendations of the Human Rights Committee to the Government of Nigeria;⁷

⁶ HR/PUB/90/1, p. 21.

⁷ CCPR/C/79/Add.65.

9. Notes the declared commitment of the Government of Nigeria to civilian rule, and urges it to take immediate and concrete steps to restore democratic government;

10. Decides to consider the situation of human rights in Nigeria at its fifty-second session under the item entitled "Human rights questions".
